

IN THE WATER COURT OF THE STATE OF MONTANA
UPPER MISSOURI DIVISION
CUT BANK CREEK – BASIN (41L)

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CLAIMANTS: Joan P. Wellman; Robert E. Wellman, Jr.

OBJECTORS: Blackfeet Tribe; United States of America
(Bureau of Indian Affairs)

NOTICE OF INTENT TO APPEAR: City of Cut Bank

Case 41L-0004-P-2017

41L 13236-00
41L 144186-00
41L 144187-00
41L 144271-00
41L 154499-00
41L 154500-00
41L 154502-00
41L 154503-00

Implied Claims:

41L 30155773
41L 30155774
41L 30155775
41L 30155776
41L 30155777
41L 30155779
41L 30155780
41L 30155781
41L 30155782
41L 30155783
41L 30155784
41L 30155785
41L 30155786

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-

day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

FINDINGS OF FACT

1. The above-captioned claims appeared in the Preliminary Decree for Cut Bank Creek (Basin 41L) with issue remarks. The Blackfeet Tribe and the United States (Bureau of Indian Affairs) filed Objections to the claims; the City of Cut Bank filed a Notice of Intent to Appear for claim 41L 13236-00.

2. On September 20, 2017 the above captioned claims were consolidated into Case 41L-0004-P-2017.

3. On September 7, 2022, a Stipulation was filed with the Court. The Stipulation indicated that the claimants had agreed to the modification or dismissal of the above-captioned claims as well as the creation of several implied claims and that the proposed modifications and dismissals and implied claim creation would resolve the Objections and NOIA in the case.

4. Pursuant to the Stipulation, the parties propose the following modifications to claim 41L 13236-00:

Priority Date: June 30, 1972

Type of Historical Right: Use

Irrigation Type: Flood

Maximum Acres: 200

Point of Diversion: SWNENW, Section 32, Township 34N, Range 9W, Glacier County

Diversion Means: Ditch

Place of Use:

POU ID	Acres	Govt Lot	QQ	Section	Township	Range	County
1	181.8		N2	31	34N	8W	Glacier
2	4	L3	NWSW	31	34N	8W	Glacier
3	3.8		NESW	31	34N	8W	Glacier
4	10.4		NWSE	31	34N	8W	Glacier
Total	200						

5. Pursuant to the Stipulation, the parties propose the dismissal of claims 41L 144186-00, 41L 144187-00 and 41L 154503-00.

6. The places of use for claim 41L 144271-00 left trust status on different dates and the parties agree that claim 41L 144271-00 should be modified and five implied claims should be generated based on the different priority dates.

7. Pursuant to the Stipulation, the parties propose the following modifications to claim 41L 144271-00:

Priority Date: **March 18, 1918**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>		<u>SESE</u>	<u>31</u>	<u>34N</u>	<u>8W</u>	<u>Glacier</u>
<u>2</u>		<u>NESE</u>	<u>31</u>	<u>34N</u>	<u>8W</u>	<u>Glacier</u>

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>			<u>SESE</u>	<u>31</u>	<u>34N</u>	<u>8W</u>	<u>Glacier</u>
<u>2</u>			<u>NESE</u>	<u>31</u>	<u>34N</u>	<u>8W</u>	<u>Glacier</u>

8. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155773) with the elements of claim 41L 144271-00 except as follows:

Priority Date: **June 11, 1918**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	Lot 4		31	34N	8W	Glacier

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	Lot 4		31	34N	8W	Glacier

9. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155774) with the elements of claim 41L 144271-00 except as follows:

Priority Date: **November 1, 1918**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	32	34N	8W	Glacier
2		N2SW	32	34N	8W	Glacier

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	32	34N	8W	Glacier
2		N2SW	32	34N	8W	Glacier

10. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155775) with the elements of claim 41L 144271-00 except as follows:

Priority Date: **January 7, 1953**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSE	31	34N	8W	Glacier

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSE	31	34N	8W	Glacier

11. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155776) with the elements of claim 41L 144271-00 except as follows:

Priority Date: **December 18, 1953**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NE	32	34N	8W	Glacier
2		SEnw	32	34N	8W	Glacier

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NE	32	34N	8W	Glacier
2		SEnw	32	34N	8W	Glacier

12. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155777) with the elements of claim 41L 144271-00 except as follows:

Priority Date: **August 3, 1970**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESW	31	34N	8W	Glacier
2		SWNESW	31	34N	8W	Glacier

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESW	31	34N	8W	Glacier
2		SWNESW	31	34N	8W	Glacier

13. Pursuant to the Stipulation, the parties propose the following modification to claim 41L 154499-00:

Priority Date: **May 14, 1958**

14. The places of use for claim 41L 154402-00 left trust status on different dates and the parties agree that claim 41L 154402-00 should be modified and seven implied claims should be generated based on the different priority dates.

15. Pursuant to the Stipulation, the parties propose the following modifications to claim 41L 154502-00:

Priority Date: **March 18, 1918**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NWNE	32	33N	6W	Glacier
2		S2NENW	32	33N	6W	Glacier

<u>3</u>	<u>S2NWNW</u>	<u>32</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>			<u>S2NWNE</u>	<u>32</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>
<u>2</u>			<u>S2NENW</u>	<u>32</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>
<u>3</u>			<u>S2NWNW</u>	<u>32</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>

16. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155779) with the elements of claim 41L 154502-00 except as follows:

Priority Date: **June 11, 1918**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>			<u>E2SWSE</u>	<u>24</u>	<u>33N</u>	<u>7W</u>

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>			<u>E2SWSE</u>	<u>24</u>	<u>33N</u>	<u>7W</u>

17. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155780) with the elements of claim 41L 154502-00 except as follows:

Priority Date: **December 12, 1918**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>			<u>E2SWNE</u>	<u>25</u>	<u>33N</u>	<u>7W</u>
<u>2</u>			<u>E2NWSE</u>	<u>25</u>	<u>33N</u>	<u>7W</u>

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>			<u>E2SWNE</u>	<u>25</u>	<u>33N</u>	<u>7W</u>
<u>2</u>			<u>E2NWSE</u>	<u>25</u>	<u>33N</u>	<u>7W</u>

18. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155781) with the elements of claim 41L 154502-00 except as follows:

Priority Date: **January 13, 1920**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>			<u>NWSWSE</u>	<u>24</u>	<u>33N</u>	<u>7W</u>
<u>2</u>			<u>NWNESW</u>	<u>24</u>	<u>33N</u>	<u>7W</u>
<u>3</u>			<u>S2NESW</u>	<u>24</u>	<u>33N</u>	<u>7W</u>

<u>4</u>	<u>N2NWSW</u>	<u>24</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>
<u>5</u>	<u>NESESW</u>	<u>24</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>
<u>6</u>	<u>E2NWNE</u>	<u>25</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>		<u>NWSWSE</u>	<u>24</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>
<u>2</u>		<u>NWNESW</u>	<u>24</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>
<u>3</u>		<u>S2NESW</u>	<u>24</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>
<u>4</u>		<u>N2NWSW</u>	<u>24</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>
<u>5</u>		<u>NESESW</u>	<u>24</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>
<u>6</u>		<u>E2NWNE</u>	<u>25</u>	<u>33N</u>	<u>7W</u>	<u>Glacier</u>

19. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155782) with the elements of claim 41L 154502-00 except as follows:

Priority Date: **July 16, 1920**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>		<u>S2NWNW</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>		<u>S2NWNW</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>

20. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155783) with the elements of claim 41L 154502-00 except as follows:

Priority Date: **May 26, 1952**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>		<u>SWNENE</u>	<u>32</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>
<u>2</u>		<u>N2SENE</u>	<u>32</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>		<u>SWNENE</u>	<u>32</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>
<u>2</u>		<u>N2SENE</u>	<u>32</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>

21. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155784) with the elements of claim 41L 154502-00 except as follows:

Priority Date: **May 21, 1954**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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<u>1</u>	<u>NWSENE</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>
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Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>	<u>NWSENE</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>	

22. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155785) with the elements of claim 41L 154502-00 except as follows:

Priority Date: **July 2, 1954**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>	<u>N2SWNE</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>	

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>	<u>N2SWNE</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>	

23. Pursuant to the Stipulation, the parties propose the generation of an implied claim (claim 41L 30155786) with the elements of claim 41L 154502-00 except as follows:

Priority Date: **September 30, 1960**

Point of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>	<u>N2SENW</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>	
<u>2</u>	<u>SWSENW</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>	

Place of Use:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
<u>1</u>	<u>N2SENW</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>	
<u>2</u>	<u>SWSENW</u>	<u>31</u>	<u>33N</u>	<u>6W</u>	<u>Glacier</u>	

24.

PRINCIPLES OF LAW

1. The Montana Water Court has the authority to determine the extent of all water rights in the state as they existed prior to July 1, 1973. *Fellows v. Saylor*, 2016 MT 45, ¶ 25, 382 Mont. 298, 367 P.3d 732; §§ 85-2-233, -102(12), MCA. The purpose of the Water Court is to adjudicate rights to the use of water as they existed on July 1, 1973. *In re Clark Fork River*, 254 Mont. 11, 17, 833 P.3d 1120 (Mont. 1992).

2. “The Water Court is not bound by settlement agreements. Any settlement reached by the parties is subject to review and approval by the Water Court.” Rule

17(a), W.R.Adj.R; *In re Argabright*, 2014 Mont. Water LEXIS 9, 41I 265 (December 12, 2014).

3. Where a claimant agrees to reduce or limit an element of a claim, “the water court does not need to determine whether the burden of proof has been met.” Rule 17(c), W.R.Adj.R. The Court may accept the requested reduction or limitation “without further presentation of evidence.” Rule 17(c), W.R.Adj.R.

CONCLUSIONS OF LAW

1. The Stipulation entered into by the parties are signed by the claimants, the Objectors and NOIA party, conforms to applicable law and, accordingly, the record supports the resolution of the objections to the above-captioned claims, as well as the modification of the above-captioned claims and the generation of implied claims. The issue remarks have been resolved and should be removed from the claims.

2. The generation of an implied claim is intended to address situations where a single statement of claim appears to contain more than one separate water right. Order Amending and Adopting Masters Report at 4, *Eliasson Ranch Company v. Rodegheiro*, Water Court Case 40A-115 (June 28, 2004) (hereinafter 40A-115 Order). In that regard, the purpose of generating an implied claim is to “separate two or more water rights into separate claims so that they are accurately identified for adjudication and administration.” *Id.* at 5. Ordinarily, the DNRC requests Water Court authorization for an implied claim pursuant to Rule 6.IV of the Water Right Claim Examination Rules. *Id.* at 4. Although this rule applies to claims being examined prior to the issuance of a preliminary decree, the Water Court has routinely cited the rule when generating implied claims post-preliminary decree. *Id.*

3. When determining whether to grant an implied claim, the Court generally relies on the statement of claim and any material in the claim file that helps to clarify that information. 40A-115 Order at 4. As previously recognized by the Court, “[t]he most common indicator for an implied claim is an overstatement of some element of the claim on a single statement of claim form, such as: listing points of diversion on two or more sources[.]” *Id.* at 4-5.

4. Implied claims should be generated as discussed above.

RECOMMENDATION

1. Upon review of the record in this case, the claims should be modified as discussed above. Claims 41L 144186-00, 41L 144187-00 and 41L 154503-00 should be dismissed. The issue remarks should be removed from the claims. Implied claims should be generated as discussed above. The Objections and NOIA should be resolved.

Post Decree Abstracts of Water Right Claims are attached to this Master's Report for review.

ELECTRONICALLY SIGNED AND DATED BELOW.

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Note: Caption and Service List Updated 1-19-2023

\\JUDGALH2OSRV\Data\vol\Share\WC-BASIN FOLDERS\41L\Cases\41L-4\NB 41L-0004-P-2017 - MR - Stipulation (Multiple Claims, POU, Implied Claims) 1-19-2023 bw.docx

Electronically Signed By:

Hon. Judge Nathaniel Block

Wed, Jan 25 2023 11:27:55 AM

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 13236-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: JUNE 30, 1972

Type of Historical Right: USE

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.46 CFS

Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 200.00

Source Name: CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENW	32	34N	9W	GLACIER

Period of Diversion: APRIL 15 TO OCTOBER 1

Diversion Means: DITCH

Period of Use: APRIL 15 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	181.80		N2	31	34N	8W	GLACIER
2	4.00	3	NWSW	31	34N	8W	GLACIER
3	3.80		NESW	31	34N	8W	GLACIER
4	10.40		NWSE	31	34N	8W	GLACIER
Total:	200.00						

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 144186-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: DISMISSED

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 144187-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: DISMISSED

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 144271-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: MARCH 18, 1918

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESE	31	34N	8W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NESE	31	34N	8W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	31	34N	8W	GLACIER
2			NESE	31	34N	8W	GLACIER

Remarks:

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41L 30155773, 41L 30155774, 41L 30155775, 41L 30155776, 41L 30155777.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 154499-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: MAY 14, 1958

Type of Historical Right: USE

Purpose (use): DOMESTIC

Flow Rate: 2.00 GPM

Volume: 1.00 AC-FT

Households: 1

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	30	33N	6W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWNW	30	33N	6W	GLACIER

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 154500-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: DECEMBER 31, 1930

Type of Historical Right: USE

Purpose (use): DOMESTIC

Flow Rate: 2.00 GPM

Volume: 1.00 AC-FT

Households: 1

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNE	25	33N	7W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWNE	25	33N	7W	GLACIER

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 154502-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: MARCH 18, 1918

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NWNE	32	33N	6W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		S2NENW	32	33N	6W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		S2NWNW	32	33N	6W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NWNE	32	33N	6W	GLACIER
2			S2NENW	32	33N	6W	GLACIER

3

S2NWNW

32

33N

6W

GLACIER

Remarks:

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41L 30155779, 41L 30155780, 41L 30155781, 41L 30155782, 41L 30155783, 41L 30155784, 41L 30155785.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 154503-00 STATEMENT OF CLAIM

Version: 2 -- POST DECREE

Status: DISMISSED

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date:

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: SPRING CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L

Water Right Number: 41L 30155773 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: JUNE 11, 1918

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4		31	34N	8W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		4		31	34N	8W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 144271-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155774 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: NOVEMBER 1, 1918

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	32	34N	8W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2SW	32	34N	8W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSE	32	34N	8W	GLACIER
2			N2SW	32	34N	8W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 144271-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155775 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: JANUARY 7, 1953

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSE	31	34N	8W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSE	31	34N	8W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 144271-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155776 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: DECEMBER 18, 1953

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NE	32	34N	8W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SENE	32	34N	8W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NE	32	34N	8W	GLACIER
2			SENE	32	34N	8W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 144271-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155777 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: AUGUST 3, 1970

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: CUT BANK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESW	31	34N	8W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SWNESW	31	34N	8W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESW	31	34N	8W	GLACIER
2			SWNESW	31	34N	8W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 144271-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155779 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: JUNE 11, 1918

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2SWSE	24	33N	7W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2SWSE	24	33N	7W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 154502-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155780 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: DECEMBER 12, 1918

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2SWNE	25	33N	7W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		E2NWSE	25	33N	7W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2SWNE	25	33N	7W	GLACIER
2			E2NWSE	25	33N	7W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 154502-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155781 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: JANUARY 13, 1920

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	24	33N	7W	GLACIER
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NWNESW	24	33N	7W	GLACIER
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		S2NESW	24	33N	7W	GLACIER
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		N2NWSW	24	33N	7W	GLACIER
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		NESESW	24	33N	7W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

6 E2SWNE 25 33N 7W GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSE	24	33N	7W	GLACIER
2			NWNESW	24	33N	7W	GLACIER
3			S2NESW	24	33N	7W	GLACIER
4			N2NWSW	24	33N	7W	GLACIER
5			NESESW	24	33N	7W	GLACIER
6			E2SWNE	25	33N	7W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 154502-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155782 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: JULY 16, 1920

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NWNW	31	33N	6W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NWNW	31	33N	6W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 154502-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L

Water Right Number: 41L 30155783 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: MAY 26, 1952

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNE	32	33N	6W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2SE	32	33N	6W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	32	33N	6W	GLACIER
2			N2SE	32	33N	6W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 154502-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L

Water Right Number: 41L 30155784 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: MAY 21, 1954

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	31	33N	6W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSENE	31	33N	6W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 154502-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155785 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: JULY 2, 1954

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2SWNE	31	33N	6W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2SWNE	31	33N	6W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 154502-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.

**POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
CUT BANK CREEK
BASIN 41L**

Water Right Number: 41L 30155786 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOAN P WELLMAN
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

ROBERT E WELLMAN JR
14779 VALIER CUT BANK HWY
VALIER, MT 59486 5316

Priority Date: SEPTEMBER 30, 1960

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING CREEK

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF SPRING CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2SE	31	33N	6W	GLACIER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SWS	31	33N	6W	GLACIER
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2SE	31	33N	6W	GLACIER
2			SWS	31	33N	6W	GLACIER

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 41L 154502-00.

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE BLACKFEET INDIAN RESERVATION.